

# **EXHIBIT 44**

**Redacted Excerpts from the  
30(b)(6) Deposition of  
Lawrence Epstein on Fighter  
Compensation**

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

CUNG LE; NATHAN QUARRY, JON	)	
FITCH, on behalf of	)	
themselves and all others	)	
similarly situated,	)	
	)	
Plaintiffs,	)	
	)	
vs.	)	Case No.
	)	2:15-cv-01045-RFB- (PAL)
	)	
ZUFFA, LLC, d/b/a Ultimate	)	
Fighting Championship and	)	
UFC,	)	
	)	
Defendant.	)	
	)	

HIGHLY CONFIDENTIAL

VIDEOTAPED DEPOSITION OF IKE LAWRENCE EPSTEIN

LAS VEGAS, NEVADA

AUGUST 15, 2017

9:32 A.M.

REPORTED BY:  
MICHELLE R. FERREYRA, CCR No. 876  
JOB NO. 51651

Case 2:15-cv-01045-RFB-BNW Document 540-48 Filed 04/06/18 Page 3 of 20

19

7 **Q.** Okay. And so during one of those periods of

8 time, any fighter that won fighter of the night bonus,

9 for example, would have received the same amount?

10 A. I believe that's true, yeah.

11 **Q.** Same for performance of the night?

12 A. Yes.

13 **Q.** Submission of the night?

14 A. Yes.

15 **Q.** Knock out of the night?

16 A. Correct.

17 **Q.** Did I forget any?

18 A. I don't know.

<p>22</p> <p>1 [REDACTED]</p> <p>2 [REDACTED]</p> <p>3 [REDACTED]</p> <p>4 [REDACTED]</p> <p>5 [REDACTED]</p> <p>6 [REDACTED]</p> <p>7 [REDACTED]</p> <p>8 [REDACTED]</p> <p>9 [REDACTED]</p> <p>10 [REDACTED]</p> <p>11 [REDACTED]</p> <p>12 [REDACTED]</p> <p>13 [REDACTED]</p> <p>14 [REDACTED]</p> <p>15 [REDACTED]</p> <p>16 [REDACTED]</p> <p>17 [REDACTED]</p> <p>18 [REDACTED]</p> <p>19 [REDACTED]</p> <p>20 [REDACTED]</p> <p>21 [REDACTED]</p> <p>22 [REDACTED]</p> <p>23 [REDACTED]</p> <p>24 [REDACTED]</p> <p>25 [REDACTED]</p>	<p>24</p> <p>1 Ike Lawrence Epstein - HIGHLY CONFIDENTIAL</p> <p>2 is relevant to compensation.</p> <p>3 MR. RAYHILL: Well, to -- Mr. Epstein</p> <p>4 put the -- put the contract language at issue when he</p> <p>5 said that they changed it.</p> <p>6 MR. WIDNELL: So I -- I -- again, I -- I</p> <p>7 think the objection stands.</p> <p>8 MR. RAYHILL: Understood. Uh-huh.</p> <p>9 BY MR. RAYHILL:</p> <p>10 [REDACTED]</p> <p>11 [REDACTED]</p> <p>12 [REDACTED]</p> <p>13 [REDACTED]</p> <p>14 [REDACTED]</p> <p>15 [REDACTED]</p> <p>16 [REDACTED]</p> <p>17 [REDACTED]</p> <p>18 [REDACTED]</p> <p>19 [REDACTED]</p> <p>20 [REDACTED]</p> <p>21 [REDACTED]</p> <p>22 [REDACTED]</p> <p>23 [REDACTED]</p> <p>24 [REDACTED]</p> <p>25 [REDACTED]</p>
<p>23</p> <p>1 [REDACTED]</p> <p>2 [REDACTED]</p> <p>3 [REDACTED]</p> <p>4 [REDACTED]</p> <p>5 [REDACTED]</p> <p>6 [REDACTED]</p> <p>7 [REDACTED]</p> <p>8 [REDACTED]</p> <p>9 [REDACTED]</p> <p>10 [REDACTED]</p> <p>11 Q. Do you recall any athlete that you -- that</p> <p>12 Zuffa did that for?</p> <p>13 MR. WIDNELL: Objection. This line is beyond</p> <p>14 the scope of the 30(b)(6).</p> <p>15 THE WITNESS: I don't, but there were</p> <p>16 many -- there were many. I don't recall off the top of</p> <p>17 my head, but there were many.</p> <p>18 MR. RAYHILL: Nick, I -- I understand your</p> <p>19 objection, but I think --</p> <p>20 MR. WIDNELL: Okay. Can -- can we just make</p> <p>21 it a continuing objection, just so that -- for</p> <p>22 simplicity sake because --</p> <p>23 MR. RAYHILL: Absolutely. That's fine.</p> <p>24 That's fine.</p> <p>25 MR. WIDNELL: I fail to see how any of this</p>	<p>25</p> <p>1 [REDACTED]</p> <p>2 [REDACTED]</p> <p>3 [REDACTED]</p> <p>4 [REDACTED]</p> <p>5 [REDACTED]</p> <p>6 [REDACTED]</p> <p>7 [REDACTED]</p> <p>8 [REDACTED]</p> <p>9 [REDACTED]</p> <p>10 [REDACTED]</p> <p>11 [REDACTED]</p> <p>12 [REDACTED]</p> <p>13 [REDACTED]</p> <p>14 [REDACTED]</p> <p>15 [REDACTED]</p> <p>16 [REDACTED]</p> <p>17 [REDACTED]</p> <p>18 [REDACTED]</p> <p>19 [REDACTED]</p> <p>20 [REDACTED]</p> <p>21 [REDACTED]</p> <p>22 [REDACTED]</p> <p>23 [REDACTED]</p> <p>24 [REDACTED]</p> <p>25 [REDACTED]</p>

7 (Pages 22 to 25)



<div>30</div> <div>[REDACTED]</div>	<div>32</div> <div>[REDACTED]</div>
<div>31</div> <div>[REDACTED]</div>	<div>33</div> <div>[REDACTED]</div>

9 (Pages 30 to 33)







<div>74</div> <div>[REDACTED]</div>	<div>76</div> <div>[REDACTED]</div>
<div>75</div> <div>[REDACTED]</div>	<div>77</div> <div>[REDACTED]</div>

20 (Pages 74 to 77)

<p style="text-align: right;">78</p> <p>1 [REDACTED]</p> <p>2 [REDACTED]</p> <p>3 [REDACTED]</p> <p>4 [REDACTED]</p> <p>5 [REDACTED]</p> <p>6 [REDACTED]</p> <p>7 [REDACTED]</p> <p>8 [REDACTED]</p> <p>9 [REDACTED]</p> <p>10 [REDACTED]</p> <p>11 [REDACTED]</p> <p>12 [REDACTED]</p> <p>13 [REDACTED]</p> <p>14 [REDACTED]</p> <p>15 [REDACTED]</p> <p>16 [REDACTED]</p> <p>17 [REDACTED]</p> <p>18 [REDACTED]</p> <p>19 [REDACTED]</p> <p>20 [REDACTED]</p> <p>21 [REDACTED]</p> <p>22 [REDACTED]</p> <p>23 [REDACTED]</p> <p>24 [REDACTED]</p>	<p style="text-align: right;">80</p> <p>1 Ike Lawrence Epstein - HIGHLY CONFIDENTIAL</p> <p>2 MR. WIDNELL: So you have asked a number of</p> <p>3 questions where you said, Are you aware of an instance</p> <p>4 where a fighter won four times and the -- the</p> <p>5 compensation increased? We did not prepare the</p> <p>6 witness, just to be clear, to answer at -- at that</p> <p>7 level of detail for each individual fighter.</p> <p>8 MR. RAYHILL: Okay. Well, your objection is</p> <p>9 noted. I would point out that it's an inappropriate</p> <p>10 speaking objection.</p> <p>11 MR. WIDNELL: I -- I was trying to help</p> <p>12 clarify in terms of questions that you -- you continue</p> <p>13 to ask. Because you've asked that question a number of</p> <p>14 times, and I wanted to try and make sure that you</p> <p>15 understood our understanding of the -- the 30(b)(6)</p> <p>16 requirements.</p> <p>17 MR. RAYHILL: I -- I understand. But, you</p> <p>18 know, I think the proper way to handle this is to state</p> <p>19 your objection as to form and leave it at that. Fair</p> <p>20 enough.</p> <p>21 MR. WIDNELL: I disagree, but I understand</p> <p>22 what you are saying.</p> <p>23 MR. RAYHILL: Okay.</p> <p>24 BY MR. RAYHILL:</p> <p>[REDACTED]</p>
<p style="text-align: right;">79</p> <p>1 [REDACTED]</p> <p>2 [REDACTED]</p> <p>3 [REDACTED]</p> <p>4 [REDACTED]</p> <p>5 [REDACTED]</p> <p>6 [REDACTED]</p> <p>7 [REDACTED]</p> <p>8 [REDACTED]</p> <p>9 MR. WIDNELL: I just want to object quickly.</p> <p>10 I don't believe -- or we do not believe that those are</p> <p>11 within the scope that the witness should have to be</p> <p>12 able to answer about the compensation of each and</p> <p>13 individual fighter after each and every individual</p> <p>14 fight.</p> <p>15 You do have that information. We have</p> <p>16 provided it. I want to make clear that you can answer</p> <p>17 those questions simply by looking at the data that we</p> <p>18 have produced. But I -- I do want to make it clear</p> <p>19 that we don't think it's appropriate to -- or within</p> <p>20 the scope to expect the witness to be able to answer,</p> <p>21 you know, has this scenario ever happened and have that</p> <p>22 kind of encyclopedic knowledge about each and every</p> <p>23 individual fighter's compensation.</p> <p>24 MR. RAYHILL: So, first of all, I haven't</p> <p>25 asked him about individual fighter's compensation.</p>	<p style="text-align: right;">81</p> <p>1 [REDACTED]</p> <p>2 [REDACTED]</p> <p>3 [REDACTED]</p> <p>4 [REDACTED]</p> <p>5 [REDACTED]</p> <p>6 [REDACTED]</p> <p>7 [REDACTED]</p> <p>8 [REDACTED]</p> <p>9 [REDACTED]</p> <p>10 [REDACTED]</p> <p>11 [REDACTED]</p> <p>12 [REDACTED]</p> <p>13 [REDACTED]</p> <p>14 [REDACTED]</p> <p>15 [REDACTED]</p> <p>16 [REDACTED]</p> <p>17 [REDACTED]</p> <p>18 [REDACTED]</p> <p>19 [REDACTED]</p> <p>20 [REDACTED]</p> <p>21 [REDACTED]</p> <p>22 [REDACTED]</p> <p>23 [REDACTED]</p> <p>24 [REDACTED]</p> <p>25 [REDACTED]</p>

<p style="text-align: right;">106</p> <p>1 [REDACTED]  2 [REDACTED]  3 [REDACTED]  4 [REDACTED]  5 [REDACTED]  6 [REDACTED]  7 [REDACTED]  8 [REDACTED]  9 [REDACTED]  10 [REDACTED]  11 [REDACTED]  12 [REDACTED]  13 [REDACTED]  14 [REDACTED]  15 [REDACTED]  16 MR. RAYHILL: I will just note for the record  17 that that theory was posited in the -- the -- our  18 motion to challenge privilege on the Mercer documents,  19 and I believe it was rejected by the Court.  20 MR. WIDNELL: Just to be clear, I think the  21 Court rejected the privilege on the basis of that  22 point, but I don't think that the Court made a factual  23 finding that that wasn't the intent of -- of Zuffa and  24 its counsel in what it did.  25 MR. RAYHILL: Fair enough. I will accept</p>	<p style="text-align: right;">108</p> <p>1 Ike Lawrence Epstein - HIGHLY CONFIDENTIAL  2 BY MR. RAYHILL:  3 Q. Okay. You have been handed what's been  4 marked as Exhibit 8. It has the Bates No. ZFL 2701804,  5 and it has an attachment that begins at the Bates  6 No. ending in 1810. Let me know when you have had a  7 chance to look it over.  8 A. All right.  9 [REDACTED]  10 [REDACTED]  11 [REDACTED]  12 [REDACTED]  13 [REDACTED]  14 [REDACTED]  15 [REDACTED]  16 [REDACTED]  17 [REDACTED]  18 [REDACTED]  19 [REDACTED]  20 [REDACTED]  21 [REDACTED]  22 [REDACTED]  23 [REDACTED]  24 [REDACTED]  25 [REDACTED]</p>
<p style="text-align: right;">107</p> <p>1 Ike Lawrence Epstein - HIGHLY CONFIDENTIAL  2 that statement. Okay.  3 BY MR. RAYHILL:  4 [REDACTED]  5 [REDACTED]  6 [REDACTED]  7 [REDACTED]  8 [REDACTED]  9 [REDACTED]  10 [REDACTED]  11 [REDACTED]  12 [REDACTED]  13 [REDACTED]  14 [REDACTED]  15 [REDACTED]  16 MR. RAYHILL: Okay. I have no more questions  17 about that document.  18 We can go off the record and break for lunch.  19 VIDEOGRAPHER: We are off the record at  20 12:03 p.m.  21 -oOo-  22 (Lunch recess)  23 -oOo-  24 (Exhibit 8 marked.)  25 VIDEOGRAPHER: We are back on the record at  1:14 p.m.</p>	<p style="text-align: right;">109</p> <p>1 [REDACTED]  2 [REDACTED]  3 [REDACTED]  4 [REDACTED]  5 [REDACTED]  6 [REDACTED]  7 [REDACTED]  8 [REDACTED]  9 [REDACTED]  10 [REDACTED]  11 [REDACTED]  12 [REDACTED]  13 [REDACTED]  14 [REDACTED]  15 [REDACTED]  16 [REDACTED]  17 [REDACTED]  18 [REDACTED]  19 [REDACTED]  20 [REDACTED]  21 [REDACTED]  22 [REDACTED]  23 [REDACTED]  24 [REDACTED]  25 [REDACTED]s,  including bonuses. Do you know if Zuffa provided this</p>

<p>110</p> <p>[REDACTED]</p>	<p>112</p> <p>[REDACTED]</p>
<p>111</p> <p>[REDACTED]</p>	<p>113</p> <p>[REDACTED]</p>

29 (Pages 110 to 113)





[illegible]

<div>158</div> <div>[REDACTED]</div>	<div>160</div> <div>[REDACTED]</div>
<div>159</div> <div>[REDACTED]</div>	<div>161</div> <div>[REDACTED]</div>

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<p style="text-align: right;">270</p> <p>1 [REDACTED]</p> <p>2 [REDACTED]</p> <p>3 [REDACTED]</p> <p>4 [REDACTED]</p> <p>5 [REDACTED]</p> <p>6 [REDACTED]</p> <p>7 [REDACTED]</p> <p>8 [REDACTED]</p> <p>9 [REDACTED]</p> <p>10 [REDACTED]</p> <p>11 [REDACTED]</p> <p>12 [REDACTED]</p> <p>13 [REDACTED]</p> <p>14 [REDACTED]</p> <p>15 [REDACTED]</p> <p>16 [REDACTED]</p> <p>17 [REDACTED]</p> <p>18 [REDACTED]</p> <p>19 MR. RAYHILL: Okay. I have no more</p> <p>20 questions.</p> <p>21 MR. WIDNELL: I have no questions either.</p> <p>22 VIDEOGRAPHER: We're finished?</p> <p>23 MR. RAYHILL: Yes.</p> <p>24 VIDEOGRAPHER: This concludes today's</p> <p>25 deposition of Ike Lawrence Epstein. The number of</p>	<p style="text-align: right;">272</p> <p>1</p> <p>2 STATE OF )</p> <p>3 ) :ss</p> <p>4 COUNTY OF )</p> <p>5</p> <p>6</p> <p>7 I, IKE LAWRENCE EPSTEIN, the</p> <p>8 witness herein, having read the foregoing</p> <p>9 testimony of the pages of this deposition,</p> <p>10 do hereby certify it to be a true and</p> <p>11 correct transcript, subject to the</p> <p>12 corrections, if any, shown on the attached</p> <p>13 page.</p> <p>14</p> <p>15</p> <p>16 IKE LAWRENCE EPSTEIN</p> <p>17</p> <p>18</p> <p>19</p> <p>20 Sworn and subscribed to before</p> <p>21 me, this day of</p> <p>22 , 2017.</p> <p>23</p> <p>24</p> <p>25 Notary Public</p>
<p style="text-align: right;">271</p> <p>1 Ike Lawrence Epstein - HIGHLY CONFIDENTIAL</p> <p>2 media used was four. We are off the record at</p> <p>3 6:21 p.m.</p> <p>4 (Thereupon, the videotaped deposition</p> <p>5 concluded at 6:21 p.m.)</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: right;">273</p> <p>1 CERTIFICATE OF REPORTER</p> <p>2 STATE OF NEVADA )</p> <p>3 COUNTY OF CLARK )</p> <p>4 I, Michelle R. Ferreyra, a Certified Court</p> <p>5 Reporter licensed by the State of Nevada, do hereby</p> <p>6 certify: That I reported the videotaped deposition of</p> <p>7 IKE LAWRENCE EPSTEIN, commencing on TUESDAY, AUGUST 15</p> <p>8 2017, at 9:32 a.m.</p> <p>9 That prior to being deposed, the witness was</p> <p>10 duly sworn by me to testify to the truth. That I</p> <p>11 thereafter transcribed my said stenographic notes into</p> <p>12 written form, and that the typewritten transcript is a</p> <p>13 complete, true and accurate transcription of my said</p> <p>14 stenographic notes, and that a request has been made to</p> <p>15 review the transcript.</p> <p>16 I further certify that I am not a relative,</p> <p>17 employee or independent contractor of counsel or of any</p> <p>18 of the parties involved in the proceeding, nor a person</p> <p>19 financially interested in the proceeding, nor do I have</p> <p>20 any other relationship that may reasonably cause my</p> <p>21 impartiality to be questioned.</p> <p>22 IN WITNESS WHEREOF, I have set my hand in my</p> <p>23 office in the County of Clark, State of Nevada, this</p> <p>24 31st day of August, 2017.</p> <p>25</p> <p>25 MICHELLE R. FERREYRA, CCR No. 876</p>

<p>1 INSTRUCTIONS TO WITNESS</p> <p>2</p> <p>3 Please read your deposition over carefully</p> <p>4 and make any necessary corrections. You should state</p> <p>5 the reason in the appropriate space on the errata</p> <p>6 sheet for any corrections that are made.</p> <p>7 After doing so, please sign the errata sheet</p> <p>8 and date it.</p> <p>9 You are signing same subject to the changes</p> <p>10 you have noted on the errata sheet, which will be</p> <p>11 attached to your deposition.</p> <p>12 It is imperative that you return the original</p> <p>13 errata sheet to the deposing attorney within thirty</p> <p>14 (30) days of receipt of the deposition transcript by</p> <p>15 you. If you fail to do so, the deposition transcript</p> <p>16 may be deemed to be accurate and may be used in court.</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	274
<p>1 E R R A T A</p> <p>2</p> <p>3</p> <p>4</p> <p>5 I wish to make the following changes,</p> <p>6 for the following reasons:</p> <p>7</p> <p>8 PAGE LINE</p> <p>9 CHANGE:</p> <p>10 REASON:</p> <p>11 CHANGE:</p> <p>12 REASON:</p> <p>13 CHANGE:</p> <p>14 REASON:</p> <p>15 CHANGE:</p> <p>16 REASON:</p> <p>17 CHANGE:</p> <p>18 REASON:</p> <p>19 CHANGE:</p> <p>20 REASON:</p> <p>21</p> <p>22</p> <p>23 WITNESS' SIGNATURE DATE</p> <p>24</p> <p>25</p>	275